



1FW 1642

PATENT

Attorney Docket No. UM-06692


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Theodora Ross *et al.*
Serial No.: 10/007,047
Filed: 12/06/01
Entitled: **HIP1 Cancer Markers**

Group No.:
Examiner:

**INFORMATION DISCLOSURE
STATEMENT TRANSMITTAL**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Dated: <u>May 6, 2004</u>	By:  Mary Ellen Waite

Sir or Madam:

Enclosed please find an Information Disclosure Statement and Form PTO-1449, including copies of the references contained thereon, for filing in the U.S. Patent and Trademark Office.

The Information Disclosure Statement is being filed before the issuance of a first Office Action, therefore, Applicant's believe no fee is required. If the Commissioner deems otherwise, th Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. **08-1290**. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Dated: May 6, 2004



Tanya A. Arenson
Registration No. 47,391

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
608/218-6900



UM-06692
May 6, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ross *et al.*
Serial No.: 10/007,047
Filed: 12/06/01
Entitled: **HIP1 CANCER MARKERS**

Group No.:
Examiner:

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope as Express Mail Post Office to Addressee under Express Mail Label No. EL 837 033 573 US addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 6, 2004.

By: 

Mary Ellen Waite

Sir or Madam:

The citations listed below, copies attached, may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application.

The following printed publications are referred to in the body of the specification:

- Abate-Shen and Shen, Genes Dev. 14:2410 [2000];
- Ruijter *et al.*, Endocr Rev. 20:22 [1999];
- Kalchman *et al.*, Nat.Genet. 16:44 [1997];
- Wanker *et al.*, Hum. Mol. Genet. 6:487 [1997];

- Metzler *et al.*, J. Biol. Chem. 276:39271 [2001];
- Mishra *et al.*, J. Biol. Chem. 276:46230 [2001];
- Rao *et al.*, Mol Cell Biol. 21:7796 [2001];
- Waelter *et al.*, Hum. Mol. Genet. 10:1807 [2001];
- Itoh *et al.*, Science 291:1047 [2001];
- Ford *et al.*, Science 291:1051 [2001]
- Kim *et al.*, Curr Opin. Oncol. 13:506 [2001]
- Davies *et al.*, Nature 417:949 [2002]
- Bos, Cancer Res. 49:4682 [1989]
- Vieira *et al.*, Science 274:2086 [1996]
- DiFiore *et al.*, Cell 106:1 [2001]
- Monks *et al.*, J. Natl. Cancer inst., 83:757 [1991];
- Ross *et al.*, Blood 91:4419 [1998];
- Greenberg *et al.*, PNAS 92:3439 [1995]; and
- Perrone *et al.*, J. Natl. Cancer Inst., 92:937 [2000].

The following publications are referred to in the body of the specification of the corresponding PCT patent application:

- Rao *et al.*, J. Clin Invest. 110:351 [2002];
- Saint-Dic *et al.*, J. Biol. Chem. 276:21192 [2001];
- DiFiore *et al.*, Cell 51:1063 [1987];
- Daley *et al.*, PNAS 85:9312 [1988];
- DiFiore *et al.* Science 237:178 [1987];
- Yarden *et al.*, Nat. Rev. Mol. Cell. Biol. 2:127 [2001];
- Confalonieri *et al.*, J. Cell. Biol. 150:905 [2000]; and
- Fazioli *et al.*, Mol. Cell. Biol. 13:5814 [1993].

UM-06692
May 6, 2004

Applicants have become aware of the following printed publications which may be material to the examination of this application:

- WO 00/78813 describes stably transfected cells expressing mutant Huntingtin protein and antibodies that bind to the mutant protein. This publication does not describe an antibody that specifically binds to HIP1 but does not specifically bind to the normal epithelium of prostate or colon, a method of detecting cancer comprising detecting the presence of HIP1, kits for detecting cancer, methods of screening for compounds that alter HIP1 expression, or transgenic animals with altered HIP1 expression; and
- U.S. Patent 6,235,879 describes the HIP1 protein. This publication does not describe a method of detecting cancer comprising detecting the presence of HIP1, kits for detecting cancer, methods of screening for compounds that alter HIP1 expression, or transgenic animals with altered HIP1 expression

This Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

Dated: May 6, 2004



Tanya A. Arenson
Registration No. 47,391

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
608/218-6900

FORM PTO-1449
(Modified)U.S. Department of Commerce
Patent and Trademark Office

Attorney Docket No.: UM-06692

Serial No.: 10/007,047

INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Use Separate Sheets If Necessary)Applicant: Theodora Ross *et al.*

Filing Date: 12/06/01

Group Art Unit:

(37 CFR § 1.98(b))

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Serial / Patent Number	Issue Date	Applicant / Patentee	Class	Subclass	Filing Date
	1	6,235,879	05/22/01	Kalchman <i>et al.</i>	530	350	05/27/98

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

		Document Number	Publication Date	Country / Patent Office	Class	Subclass	Translation	
							Yes	No
	2	WO 00/78813	28 Dec 2000	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)

	3	Abate-Shen and Shen, Genes Dev. 14:2410 [2000];
	4	Ruijter <i>et al.</i> , Endocr Rev. 20:22 [1999];
	5	Kalchman <i>et al.</i> , Nat.Genet. 16:44 [1997];
	6	Wanker <i>et al.</i> , Hum. Mol. Genet. 6:487 [1997];
	7	Metzler <i>et al.</i> , J. Biol. Chem. 276:39271 [2001];
	8	Mishra <i>et al.</i> , J. Biol. Chem. 276:46230 [2001];
	9	Rao <i>et al.</i> , Mol Cell Biol. 21:7796 [2001];
	10	Waelter <i>et al.</i> , Hum. Mol. Genet. 10:1807 [2001];
	11	Itoh <i>et al.</i> , Science 291:1047 [2001];
	12	Ford <i>et al.</i> , Science 291:1051 [2001]
	13	Kim <i>et al.</i> , Curr Opin. Oncol. 13:506 [2001]
	14	Davies <i>et al.</i> , Nature 417:949 [2002]
	15	Bos, Cancer Res. 49:4682 [1989]
	16	Vieira <i>et al.</i> , Science 274:2086 [1996]
	17	DiFiore <i>et al.</i> , Cell 106:1 [2001]
	18	Monks <i>et al.</i> , J. Natl. Cancer inst., 83:757 [1991];
	19	Ross <i>et al.</i> , Blood 91:4419 [1998];
	20	Greenberg <i>et al.</i> , PNAS 92:3439 [1995];
	21	Perrone <i>et al.</i> , J. Natl. Cancer Inst., 92:937 [2000]
	22	Rao <i>et al.</i> , J. Clin Invest. 110:351 [2002];
	23	Saint-Dic <i>et al.</i> , J. Biol. Chem. 276:21192 [2001];
	24	DiFiore <i>et al.</i> , Cell 51:1063 [1987];
	25	Daley <i>et al.</i> , PNAS 85:9312 [1988];
	26	DiFiore <i>et al.</i> Science 237:178 [1987];
	27	Yarden <i>et al.</i> , Nat. Rev. Mol. Cell. Biol. 2:127 [2001];
	28	Confalonieri <i>et al.</i> , J. Cell. Biol. 150:905 [2000];
	29	Fazioli <i>et al.</i> , Mol. Cell. Biol. 13:5814 [1993].

Examiner:

Date Considered:

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.